

JUDITH W. HAWKINS
LEON COUNTY JUDGE

LEON COUNTY COURTHOUSE, RM. 265-A
301 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301



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CRIMINAL DIVISION
POLICIES and PROCEDURES
EFFECTIVE 1/26/2009, Rev. 7/9/2012

The following outlines policies and procedures which are applicable to Judge Hawkins' Criminal Division. This memorandum does not apply to PWBC cases.

1. Cases will be assigned **TIME STANDARDS** as follows:

Court Cycle Event (Approx. every 5 weeks)	1	2	3	4 (Approx. 120 days)	5 (Approx. 150 days)	6 (Approx. 180 days)
M2 Degree	Arraignment	Case Management (CM)	Pre Trial (PT)	Jury Selection/ Trial the following week		
M1 Degree	Arraignment		Case Management	Pre Trial	Jury Selection/ Trial the following week	
All Batteries	Arraignment		Motions	Case Management	Pre Trial & Motions	Jury Selection/ Trial the following week
All DUIs	Arraignment		Case Management	Motions	Pre Trial & Motions	Jury Selection/ Trial the following week

- At arraignment or when attorneys file NOA, attorneys may elect to direct (in writing) the clerk to set cases for the Mandatory Jury Selection Status Conference and Jury Selection date in accordance with the time standards stated above.
- Attorneys may request in writing (e-mails are acceptable) an earlier date for Pretrial, motion hearings, or Jury Selection.
- **Please take advantage of the built in time to prepare and file motions in advance of Jury Selection.**
- Unless otherwise requested, filed motions and notices will only advance your case 5 weeks out to the next court cycled event.
 - E.g., Case Mgmt. reset to Pretrial; Pretrial reset to Jury Selection
 - The Clerk's office will not automatically schedule using the additional allotted time above. You must be clear concerning the number of cycles and next court event.

2. **ALL NOTICES** to the Clerk's Office must be received four days prior to the scheduled court event; otherwise, the notice must be delivered in court. Failure to provide written notice will result in the issuance of a capias.
3. **ALL ORIGINALS** must be filed with the Clerk's Office. Please do not send unrequested papers to the Judge's Office, and that specifically includes faxes. Assume that if the Judge's office did not ask for it, do not send it!
4. Please provide **PROPOSED ORIGINAL ORDERS**, conforming copies and self-addressed postage paid envelopes with all motions. Conforming copies will be mailed only if appropriate number of envelopes is provided.
5. **JURY SELECTION CONTINUANCES ARE NOT FAVORED** and will be granted only in the most extraordinary circumstances with good cause. If granted, case(s) will be moved to the next scheduled court cycle event. **Written motions are required.**
 - *The Court may not approve all continuances, including those stipulated upon by the State and Defense.*
 - **LAST MINUTE MOTIONS: If you file a Motion within 15 business days of your cases scheduled Jury Selection, please be prepared to have your Motion heard on Tuesday or Wednesday of the same week. Please subpoena accordingly.**
 - If attorneys later think that a case will plea, it may be placed on the Monday's in-custody 1:30 p.m. or out-of-custody 2:00 p.m. plea docket prior to Pretrial.
 - Feel free to contact my Judicial Assistant for other available plea times.
 - **NOTE:** *Judge Hawkins has about three working weeks per five (5) week cycle for trials. Trials can be specially set to accommodate necessary requirements; thus, continuances will be difficult to obtain. Trials will be scheduled oldest case first. If required, trials will be stacked and heard by an assisting Judge.*
6. **MANDATORY JURY SELECTION STATUS CONFERENCE** is Thursdays at 11 a.m. before Friday's Jury Selection. **Defendants must be present.** If a jury panel has been summoned for the Defendant's case, only a straight up plea will be accepted on Friday morning. **The Court expects the State to dispose of cases by 4 p.m. on Thursdays to avoid summoning jurors.**
7. **IN-CUSTODY VIDEO DOCKETS** are regularly scheduled each Monday at 1:30 p.m. All defendants in-custody with only misdemeanor or traffic cases will be scheduled to address bonds and negotiated pleas with the scheduled criminal Judge. Contact my Judicial Assistant for assistance at faldenw@leoncountyfl.gov, regarding defendant cases with felony, out-of-country holds, ICE issues and/or any additional special needs.

8. **OUT-OF-CUSTODY DEFENDANTS** are regularly scheduled each Monday at 2:00 p.m. (at the end of the Monday 1:30 p.m. Video Docket) to address negotiated pleas, special set motions or otherwise assess the progress of defendants' cases. The attorney is responsible for notifying the clerk to bring the appropriate files to the Monday 2:00 p.m. docket. **Judge Hawkins' docket of special set cases will commence when the scheduled criminal judge completes his/her docket.** Feel free to contact my Judicial Assistant for assistance at faldenw@leoncountyfl.gov.
9. **PLEAS IN ABSENTIA** will be accepted by the Court if there is no probation required, or the defendant does not reside in the Second Judicial Circuit.
10. **VOPS** will be handled on one court cycle; i.e., arraignment to hearing. Defendants without sufficient probation time will have about 5 weeks to complete, if possible, the terms of their probation.
11. **TRANSPORTS** **will not occur** without the expressed consent of Judge Hawkins. Please check the docket schedule **in advance**. Feel free to contact my Judicial Assistant for assistance at faldenw@leoncountyfl.gov to reset for Video Docket.
12. **PRETRIAL, PROBATION, AND VOP MOTIONS** should **always** have a statement from the Pretrial Release Officer or the Probation Officer, regarding agreement or disagreement to the motion.

Thank you for your attention to these procedures. Please advise if you have any questions, concerns, or suggestions.

Revised 7/2012